

AFFIDAVIT OF SUITABLE SERVICE

INDEX # 08 CV 4274^N

U S District COURT OF THE STATE OF NEW YORK
COUNTY OF Southern

Jose Garcia Randy Garcia And Jose Garcia Jr
Etc

- against -

COCHRAN NEUFELD & SCHE
99 Hudson St
NEW YORK
NY 10013

The City Of New York Detective Anthony Pezzullo
Ada Curtis Farber Etc

(212) 965-9081

Atty File # 2063

Record # 123952

File # 56

STATE OF NEW YORK: COUNTY OF NASSAU: ss

Harry Torres-Lic#0915257 being duly sworn deposes and says deponent is not a party to this action and is over the age of eighteen years and resides in the state of New York:

That on 07/02/08 at 4:05pm at 1 Police Plaza 14th Fl New York Ny 10038 deponent served the within Summons & Complaint In A Civil Action on Anthony Pezzullo recipient therein named.

After your deponent was unable with due diligence to serve the recipient in person, service was made by delivering a true copy thereof to and leaving with Lori Costello attorney a person of suitable age and discretion at 1 Police Plaza 14th Fl New York Ny 10038 said premises being the recipient's usual place of business within the State of New York.

Deponent completed service by depositing a copy of the Summons & Complaint In A Civil Action on 07/03/08 in a postpaid, properly addressed envelope by first class mail, bearing the legend Personal & Confidential and not indicating legal action, in an official depository under the exclusive care and custody of the United States Post Office in the State of New York. Mailing was made to 1 Police Plaza 14th Fl New York Ny 10038

Attempts:

A description of the person served on behalf of the defendant is as follows:

Approx Age: 30 Years Approx Weight: 120 Lbs. Approx Height: 5'2"
Sex: Female Color of Skin: White Color of Hair: Black
Other:

Deponent spoke to Lori Costello - Attorney same as above,

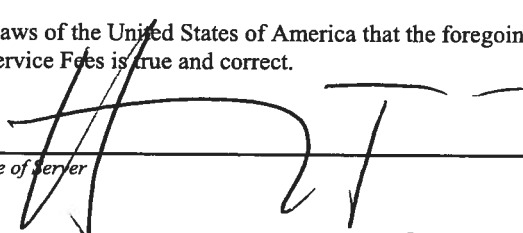
confirmed the above address of defendant and asked whether defendant was in active military service of the United States or the State of New York in any capacity whatever or is a dependent of anyone in the military and received a negative reply and that the defendant always wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in Federal statutes.

Sworn to before me this 07/03/08
Jeffrey Wittenberg #41-4906457
Notary Public, State of New York
Nassau County, Commission Expires 08/22/10

Harry Torres-Lic#0915257

Supreme Judicial Services, Inc.
371 Merrick Road - Rockville Centre, N.Y. 11570 - (516) 825-7600
255 Broadway - New York, N.Y. 10007 - (212) 319-7171
Fax (516) 568-0812

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	7/3/08
NAME OF SERVER (PRINT) HARRY TORRES	TITLE	PROCESS SERVER
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <input checked="" type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: LORI Costello <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%;"> <p>Executed on <u>7/3/08</u></p> <p style="text-align: center; font-size: small;">Date</p> </div> <div style="width: 60%; text-align: center;">  <p style="text-align: center; font-size: small;">Signature of Server</p> </div> </div> <div style="text-align: center; margin-top: 10px;"> <p>SUPREME JUDICIAL SERVICES INC. 971 MERRICK ROAD SUITE 202 ROCKVILLE CENTRE, NY 11570</p> <p style="text-align: center; font-size: small;">Address of Server</p> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.